

Legislative Fiscal Bureau

Fiscal Note

HF 552 - Vehicle Compartments Smuggling Drugs (LSB 2774 HV)

Analyst: Jennifer Dean (Phone: (515) 281-7846) (jennifer.dean@legis.state.ia.us)

Fiscal Note Version — New

Description

House File 552 makes it a crime for any person to possess, use, or control a false compartment in a vehicle with the intent to store, conceal, smuggle, or transport an illegal controlled substance. A violation is a serious misdemeanor. House File 552 also makes it a crime to design, construct, build, alter, or fabricate a false compartment or to install or attach such a compartment in a vehicle with the intent to store, conceal, smuggle, or transport an illegal controlled substance. A violation is a serious misdemeanor.

Assumptions

1. Charge, conviction, and sentencing patterns and trends will not change over the projection period.
2. Prisoner length of stay, revocation rates, and other corrections policies and practices will not change over the projections period.
3. The law will become effective July 1, 2003. A lag effect of six months is assumed, from the law's effective date to the date of first entry of affected offenders into the correctional system.
4. This analysis is based on information obtained from the Justice Data Warehouse, which includes statewide court information. Conviction and penalty information is based on FY 2002 data.
5. The average daily cost for parole or probation is \$1.82 per offender. The average length of stay for a serious misdemeanor conviction is 14 months on probation or five months on parole.
6. The marginal cost per day for State prisons is \$12.00 per offender. The average length of stay for a serious misdemeanor is seven months.
7. The median cost per case for the State Public Defender for a serious misdemeanor is \$500.
8. The court costs for a serious misdemeanor ranges from \$74 to \$78, depending upon whether a District Associate Judge or District Court Judge hears the case. The average cost for one case without a jury is \$76. The average cost for one case with a jury is \$470.
9. The collection rate for a serious misdemeanor is 37.8%.

Correctional Impact

The creation of a new offense carries the potential for a correctional impact on court caseloads, prisons, county jails, and Community-Based Corrections resources. Most persons involved in false compartment searches would be charged with aggravated misdemeanors or felonies associated with controlled substances, stolen property, and weapons violations and would already be serving time in prison, jail, and Community-Based Corrections. To the extent that such compartments were found and that persons involved were not being charged with offenses carrying greater penalties associated with the discovery of the compartment, there would be a correctional impact under this Bill. However, there is no readily available information regarding how often vehicle compartments are involved in current searches for controlled substances, therefore, the correctional impact of HF 552 cannot be determined.

Fiscal Impact

The fiscal impact of HF 552 cannot be determined due to insufficient information. The State's cost for one serious misdemeanor conviction ranges from \$800 to \$3,800. These costs will be incurred across multiple years while the person is supervised in the correctional system, either in prison or in the community.

Sources

Judicial Branch
Criminal and Juvenile Justice Planning
Department of Public Safety

/s/ Dennis C Prouty

March 10, 2003

The fiscal note and correctional impact statement for this bill was prepared pursuant to Joint Rule 17 and pursuant to Section 2.56, Code of Iowa. Data used in developing this fiscal note and correctional impact statement are available from the Legislative Fiscal Bureau to members of the Legislature upon request.
